

# Utah State Building Board



## MEETING

January 28, 2002

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## **MINUTES**

### **Utah State Building Board Members in attendance:**

Keith Stepan, Chair  
Larry Jardine  
Haze Hunter  
Kerry Casaday  
Manuel Torres

### **DFCM and Guests in attendance:**

Joseph A. Jenkins	Division of Facilities Construction & Management
Kenneth Nye	Division of Facilities Construction & Management
Kent Beers	Division of Facilities Construction & Management
Shannon Lofgreen	Division of Facilities Construction & Management
Leslee Chavez	Division of Facilities Construction & Management
Blake Court	Division of Facilities Construction & Management
Alan Bachman	Attorney General's Office/DFCM
David Fletcher	Department of Administrative Services
Randa Bezzant	Governor's Office of Planning and Budget
Dennis Geary	College of Eastern Utah
Randy Turpin	University of Utah
John Huish	University of Utah
Greg Peay	Department of Corrections
Lynn Samsel	Department of Human Services
Cecilia H. Foxley	Utah System of Higher Education – Regents
Norm Tarbox	Utah System of Higher Education – Regents
Greg Stauffer	Southern Utah University
Gordon Storrs	Salt Lake Community College
Bryan Wilmot	Department of Corrections – UCI
Mike Perez	Weber State University
Allen Simkins	Weber State University
Craig Hall	Weber State University
Ken Frank	Department of Public Safety
Melanie Nelsen	VCBO Architecture
Rachel Tracy	Richardson Design

On Monday, January 28, 2002, a Utah State Building Board meeting was held in the Utah System of Higher Education Regents Boardroom, Salt Lake City, Utah. Chairman Keith Stepan called the meeting to order at 9:03 am.

Chair Stepan introduced Mr. Manuel Torres as a new member of the Board. Mr. Torres is a masonry contractor and will provide his expertise as an addition to the Board.

Mr. Jenkins welcomed David Fletcher who was present in Raylene Ireland's absence.

☐ **APPROVAL OF MINUTES OF DECEMBER 5, 2001 .....**

Chair Stepan sought a motion for the December 5, 2001 Building Board minutes.

**MOTION: Larry Jardine moved to approve the Utah State Building Board meeting minutes of December 5, 2001. The motion was seconded by Kerry Casaday and passed unanimously.**

☐ **REVISIONS TO DFCM'S GENERAL CONDITIONS DOCUMENT .....**

Chair Stepan referenced the proposed revisions of the General Conditions documents, which cover all legal aspects of the requirements of the Building Board and are distributed along with the plans on every project. Upon approval, the General Conditions would become the document, which DFCM will operate with on all projects.

Kenneth Nye and Blake Court led the effort and held several meetings with the various disciplines to discuss the revisions and develop the proposed document. The basic document was originally written in 1991, with minor revisions in 1995. A memo was provided summarizing the major changes and Mr. Nye added that several items were simply relocated within the document and some concepts were rewritten. A major change included clarification of the role of the consultant as DFCM felt the State should be the primary authority on its own projects. The previous document was written under the concept that the architect held primary decision making authority. This clarification is also consistent to the revisions within the consultant's agreement.

Another significant change included the requirements for scheduling, which were refined to require more detail. The requirements clarified submittal time frame and requirements. The issue of weather delays was also addressed and will now be approached by measuring weather event information generated through a national weather service with several weather point locations. If the contractor meets certain weather criteria based on the weather event, they may pursue the delay if they can prove the conditions.

The General Conditions also introduced a new concept called a request for equitable adjustment. This provides a less confrontive method for contractors to request an adjustment for time and money while still preserving their rights to file a claim later if needed.

In the past, the General Conditions called for timeliness of payments, which ordered bills to be paid in a timeframe required by the state's Prompt Payment Act and essentially gave DFCM 60 days to pay a bill before defaulting. However, the reality of waiting 60 days for payment within the construction industry is actually a disservice due to the need for cash flow throughout the different tiers of the project. Legislation is currently being pursued which would require contracts to identify a specific timeline. The new document essentially grants the architect/engineer ten days to approve a pay request for a contractor and allows 30 days after submittal of the invoice for payment to occur before default.

The revised General Conditions also address the requirements for substantial completion as DFCM is consistently challenged with closing out projects. The revised documents allow General Contractor's preparing for a final inspection to perform their own punch list and identify the items which still need to be completed and submit it to DFCM and the architect. If the final inspection supports the contractor's list, DFCM will then issue a certificate for substantial completion. If the final inspection does not support the contractor's list, then DFCM will have the contractor cover DFCM's cost to perform the inspection.

Blake Court also noted the General Conditions were centered on the Value Based method. DFCM indicated a number of items in the General Conditions, which the General Contractor would need to provide as part of his proposal.

Mr. Jenkins also added that DFCM had delegated some projects to the University of Utah and Utah State University in the past and were concerned with them not using the state's General Conditions. DFCM now requires all agencies in state government to use the same set of guidelines. The procurement code for the State also requires certain contract documents to be adopted by state rule. Mr. Nye referenced a document outlining the clauses requiring adoption and noted adoption of the clauses would need to be included in the motion.

Mr. Nye also commented the General Conditions were written around the larger projects. DFCM recognized small, simple projects, would not be subjected to some of the conditions and intended to prepare a standard set of supplementary General Conditions for use on smaller projects. None of those changes would affect the clauses adopted by the rule.

Chairman Stepan sought a motion.

**MOTION:**     **Larry Jardine moved to accept the revisions to the conditions and the required contract clauses. The motion was Haze Hunter and passed unanimously.**

**❑     LEGISLATIVE UPDATE .....**

Joseph Jenkins referenced an outline informing the Board of the status of the capital budget and the capital improvement funding, which this year will be approximately \$49 million. Several changes occurred with the projects since the meetings were held in October, including the Washington County and Canyonlands Youth Correctional facilities which were added due to the VOITIS funds appropriated by the Governor and the Legislature. In October, the Board also determined to postpone the Marriott Library at the University of Utah and the Merrill Library at Utah State University. Those projects have now come forth to the Committee; however the Board did not recommend them.

Cecilia Foxley, Board of Regents, thanked the Board for their recognition of the facilities needs for Higher Education. Higher Education is experiencing phenomenal growth which is assumed to continue as the economy struggles. Ms. Foxley stated the Capital Facilities Appropriation Subcommittee was very receptive to the Higher Education projects and felt a majority of the planning was completed in regards to the two libraries. The Board of Regents felt if the bond is large enough, the libraries will be completed, which would help to stimulate the economy and solve some hazardous life safety issues at the Universities.

Mr. Jenkins stated the Governor recommended approximately \$73 million worth of bonding and the Legislature has discussed approximately \$156 million worth of bonding. One item precipitating the move of the two projects, as well as Archives, is the fact that if the Legislature bonds for approximately \$156 million, both libraries will be included.

Randy Turpin, University of Utah, commented the library project began as a self-funded project, which is why the University moved forward with a fairly in-depth study. Further into the study, it quickly became apparent there were issues too large for the University to cover with private donations. However, they completed a majority of the study to determine the structural, seismic, and infrastructure issues and then determined they would need the State's assistance and requested DFCM to review the study. The study includes several developments and concluded the University would need approximately \$37 million in state funds and \$17 million in private donations.

Blake Court spoke on behalf of Utah State and stated the library is a replacement of the Merrill Library and the University has requested \$40,200,000. Utah State has also performed some site studies and determined to locate the library behind the Science Building, which will require minimal demolition to the building. The four-story building will

be approximately 220,000sf gross and will be built towards the north. The building will include a very high-tech retrieval system for documents, which will allow for overall cost savings and a significant decrease in gross square footage. The retrieval system would also aid in securing previous documents against loss or damage. Mr. Court did not consider USU's document as a complete study, but they had hired a local firm to continue the studies and, based on approval of funding, they would move directly into programming and then a design/build process.

Joseph Jenkins stated DFCM had approximately \$800,000 in the project reserve fund. The Legislative Fiscal Analyst has suggested DFCM place \$700,000 in into capital improvement projects and \$50,000 each to the Ogden Regional Center study and the Washington County Regional center study. The Legislature would need to determine if they wished to use those funds elsewhere.

Kenneth Nye provided an update on non-state funded projects. The list was based on the Board's previous recommendations with the exception of the Youth Corrections State Canyon chapel. The Legislative Fiscal Analyst's recommendations regarding state funded projects were distributed and identified their recommendations with the Building Board's and the Governor's recommendations.

Joseph Jenkins asked Randy Turpin to discuss the Health Sciences classroom building, which was not on the Building Board list but was included in the five-year book for 2005. Randy Turpin stated the Health Sciences Education building piqued the interest of the Legislative Committee during their visit to the campus last year. The building is included in the plan of Vice President Betts to vacate the original hospital building, which now houses the School of Medicine. With the need for the building to be demolished, coupled with the increased number of students in the Colleges of Health, Pharmacy, Nursing, Medicine and Dentistry, there is a great need to increase the classroom space for the health sciences area. The Committee has found this to be an exciting project and has been placed as the second priority on the University's list. Mr. Turpin noted the \$37.5 million included the whole project as totally state funded.

Kenneth Nye stated that last spring DFCM anticipated the University would request the School of Medicine replacement as their top project. After the library study revealed serious conditions in the building, the School of Medicine slipped behind to the second priority position, therefore the Board did not hear about the project during the prioritization process. The Legislative Fiscal Analyst's recommendations are to restore the funding for the projects cut due to the budget shortfall as his first priority and to fund the renovation or replacement of existing buildings as his second priority. Other projects were heard by the Board involving new space, which were recommended by the Fiscal Analyst's office, and several legislators have made it clear that they feel other projects need to be placed on the

list before it is finalized. Projects still anticipating serious consideration by the Legislature included the UVSC Wasatch Campus, the Uintah Basin Vernal campus and the Archives project.

Mr. Nye stated the University of Utah and Utah State University engineering buildings were both funded with cash during the last session. The University of Utah and Utah State University placed the cash in escrow pending the raising of private funds. Although the fund raising efforts are continuing, as part of the budget balancing, the Legislature is retrieving the cash and replacing it with an authorization to issue a General Obligation bond. Some Legislators have indicated they desire not requiring the donations and to fully fund the construction portion, if not the entire project, which would provide a faster track to proceed.

Mr. Nye referenced a summary of the legislation outlining the more critical bills under watch by DFCM, including HB1, which was the appropriation act reducing budgets for the current fiscal year in order to create a budget balance. As part of the bill, DFCM made significant contributions regarding capital budget and the changing of funding sources, as well as the loss of \$4.4 million in capital improvement funds. On the operating side, the General fund appropriation for an administrative budget was cut by \$287,000, which was a substantial percentage at close to 10%. DFCM also cut two positions on a one-time basis for last year, including an Office Manager and a Program Director position. If the Legislature follows the Legislative Fiscal Analyst's position in the next fiscal year, both positions will be completely eliminated.

Kenneth Nye stated the second bill dealt with the sale of land at the Developmental Center and would require legislative approval and two MAI appraisals before the sale, lease or other disposition of any property at the USDC. The proceeds from the sale of the land would be transferred into a trust fund for the disabled. DFCM will work with the Legislature to try to modify the terms of the Legislation.

House Bill 205 would transfer the licensure and regulation of the construction industry from DOPL to the newly developed Division of Construction Services.

House Bill 252 deals with GO bonds for engineering buildings and replaces cash appropriated to escrow for the University of Utah and Utah State University projects with GO bonds.

Senate Bill 19 deals with the prompt payment act and establishes payment requirements and gives the general contractor and subs right to suspend work for nonpayment. This only applies to construction contracts and has raised some concern among the general contractors who are strongly opposed to this bill. DFCM has had several discussions with

the subcontractors who are pursuing the bill and, while they are close to an agreement, they are still working on revisions to come to an agreement of both parties.

Senates Bill 55 clarifies responsibility for adopting the State Energy Code for all buildings in the State, not just State buildings for which there are conflicting statutes. This clarification is mainly a housekeeping item and would help in standardized wording.

Senate Bill 78 deals with delays on projects and basically prohibits a no damages for delay clause in construction contracts. Mr. Nye believed the revisions regarding the General Conditions would be in compliance, but would also be revisited to ensure compliance.

Another bill listed dealt with the Utah Procurement Code Amendments. The draft Mr. Nye saw had not been finalized and included a prohibition of state entities requiring the contractor to supply financial information about them during the selection process. DFCM did not wish for that to occur and have discussed with those involved ensuring its exclusion. If changed as agreed, there should be no affect to the Value Based system.

Haze Hunter expressed concern with the Legislative Analysts recommendations and stated SUU is the second largest producer of teachers in the State of Utah and he felt they weren't given any consideration. He knew the importance of the other buildings at other institutions; however SUU was producing the teachers out of an 1800 building. He was concerned the Building Board did not have enough clout for the Legislative Analyst to recognize the seriousness of the situation.

Commissioner Foxley stated the Regents were pleased to see the Fiscal Analyst's recommendations to the Appropriation Subcommittee listed SUU along with UVSC and SLCC science building, Weber's purchase of the McKay Dee property if additional funds were available depending on the size of the bond. Joseph Jenkins added the Chairs of the Committee had moved the others ahead with the Fiscal Analyst and, if not funded this year, the Building Board would prioritize the project next year. Chair Stepan also stressed the importance to keep the bond proposition as high as possible.

Joseph Jenkins suggested the Building Board's presentation to the Subcommittee should also include bonding and need. He also felt the Board should address the Archive's issue at their presentation. The Archives building has been discussed for several years and this year, the co-chair of the Appropriations Subcommittee is determined to address Archives due to the construction of the campus plaza at the State Capitol and the need to relocate off campus. DFCM was asked to provide four alternatives for Archives. Mr. Jenkins referred to an updated memo distributed to the Board identifying the alternatives. The memo was updated due to some shelving being omitted causing the increase of each alternative by \$2 million.

Alternative one included a piece of property owned by the State directly southwest of the Rio Grande depot on 500 West and is approximately one acre. The building on the land, also known as the Veggie Express building, currently houses the State's art collection. There has always been a desire by History, Archives, and Art to keep the project together and to build an Arts Center in the Rio Grande Depot. Archives are also determined to place an administrative office and the permanent collection by the Veggie Express building. Alternate one included a layout of the existing art collection building, the new Archives administration building and the permanent art collection building totaling approximately 48,000sf. This proposal would provide 18 parking stalls, however DFCM is unsure if 18 stalls would be sufficient. However, the City has indicated that 500 West will be expanded within the next two to three years and will include more parking.

The second alternative involved the same property, however it included demolishing the Veggie Express building and building a new building to house the permanent arts collection, Arts permanent storage, and administrative offices, as well as some storage area for History. This building would be a two-story building and include a basement and would make the site very compact. This option was the most expensive of the four alternatives, however, it is the alternative most desired by Archives to present to the Subcommittee. With this alternative, they would need to build an additional building adjacent to the State library for the temporary collection or continue to lease a facility similar to the facility they are leasing at Decker Lake.

Alternative three is to build a new administrative building, permanent collection, and temporary building east of the existing state library on 1950 West and 250 North. This is the least expensive alternative and the alternative favored by DFCM. DFCM suggests this alternative, as it is the most economically sensible.

Alternative four is the same price as alternative three, but proposes placing the building on the southwest side of the library and west of the existing Tax Commission. DFCM is opposing this option due to the piece of property being large and a bigger building would better serve the property.

Mr. Jenkins noted the Board might also wish to comment to the Subcommittee about their desires of the building's location. Chair Stepan sought a motion.

**MOTION: Manuel Torres moved to accept alternative three.**

Mr. Jenkins further stated an advantage to alternative three would be that all facilities would be co-located and it was a less costly alternative. Archives wished for alternative two because they still want to be part of complex where eventually History and Archives would be together as they renovate the Depot into an arts center. Mr. Jenkins felt this was a



sensible approach, but was unsure how long it would take to be funded. With alternative three, the art collection would remain at the Veggie Express building, which could accommodate them for the next ten years.

**Keith Stepan seconded the motion.**

Kent Beers added this will not fully utilize the campus at that location and there is still additional space for other large state office buildings. Mr. Beers felt this property was becoming a hub for state office workers in the area, where several archival needs generate from validating the reason to locate the campus there.

Joseph Jenkins cautioned the numbers were still preliminary and noted that Blake Court would have the responsibility of confirming the numbers before they are finalized. The alternatives receiving the most attention vary from \$11.8 million for alternative two to \$10.5 million for alternative three.

**The motion passed unanimously.**

**☐ REDIRECTION OF CAPITAL IMPROVEMENT FUNDS AT WEBER STATE UNIVERSITY .....**

Kent Beers stated Weber State University requested \$560,000 which was previously allocated in capital improvements for the Education Building HVAC upgrades and Asbestos Abatement project. Further analysis by Weber State University, in conjunction with DFCM, determined it would be more beneficial to address other improvements while the building was closed down. Weber State desired to expand the scope of the project and determined it would be best to shut down the facility in the summer of 2003. For these reasons, the \$560,000 would basically remain idle an additional two funding cycles; therefore, Weber State requested to redirect the majority of the \$560,000. Mr. Beers referenced a letter highlighting the University's recommendation for the redirection of funding and stated they would leave \$50,000 in the existing project to continue to examine the scope of the work and prepare the design for the project. The University also asked for \$159,800 to be directed to the repair of the failed elevated walkway of the Stewart Library which dropped three to four inches last fall. The steel members connecting the walkway have eroded and the structure is failing. Weber State took emergency steps to block off the walkway and brace it to prevent it from collapsing until a new walkway could be constructed.

Weber State also asked that \$20,000 be directed to an existing improvement project with the underground utility repairs and steam tunnels and \$330,200 be directed to a request coming this year for concrete and hand rail repairs on the campus.

DFCM recommended the Board accept the redirection of these funds as noted in the letter from Weber State University. Al Simpkins, Craige Hall and Mike Perez were present to answer the Board's questions.

Chair Stepan questioned if sufficient funding capacity was available in 2003 to address the needs of the McKay building. Mr. Beers responded it would be the intention of DFCM to place this as the highest priority for the campus in FY2004 to fund for construction in the summer of 2003.

**MOTION: Haze Hunter moved to authorize the redirection of funds to Weber State University. The motion was seconded by Kerry Casaday and passed unanimously.**

**☐ DELEGATION OF U OF U HOSPITAL EXPANSION PROJECT .....**

Joseph Jenkins referred the Board to a sheet outlining the delegation criteria of August 11, 1998. At that time, the Board set out some criteria on which they would be willing to do delegation to the University of Utah, Utah State University and other agencies meeting the criteria. The biggest criteria from DFCM's perspective is the project could have no state funds involved for the construction, O&M, or any capital improvement dollars. The University currently has the new hospital under construction, which is fully funded through donations. State O&M dollars are not anticipated, nor are any capital improvement dollars. The project is currently underway with the parking terrace, heliports, and footings being completed. DFCM desired to delegate the balance of the hospital addition to the University of Utah. The University will periodically visit with DFCM and provide status updates. In the future, DFCM will require planning and a team concept at DFCM with the agency as well as the submission of monthly progress reports. Randy Turpin agreed to the delegation criteria as proposed by DFCM and felt the interaction was important. John Huish felt the biggest impact would be the contract itself and its transferring. Kenneth Nye stated he would look further into that issue and noted the cost was approximately \$31 million. An administrative rule governing the delegation and the relationship between the University of Utah and Utah State University also exists and DFCM anticipated trying to incorporate delegation criteria into the rule while updating it for statutory changes.

Chair Stepan personally had a minor concern with donated funds due to the tendency to occasionally fall out of the sight of DFCM and the Building Board. He wanted to be mindful to address each case on its own basis and ensure they were not opening a way to circumvent the authority of the State Building Board. He also wanted to focus on needs and not the desire of donors to support our Universities in order to maintain control and direction in terms of delegation.

**MOTION: Haze Hunter moved to delegate the project to the University of Utah. The motion was seconded by Larry Jardine and passed unanimously.**

**☐ ADMINISTRATIVE REPORTS OF UNIVERSITY OF UTAH AND UTAH STATE UNIVERSITY .....**

John Huish, University of Utah, reported for the period of November 16 – December 14, 2001, there was no activity for A/E agreement contracts. There was one new construction contract awarded involving some lab space at the Research Park buildings. The difference in construction budget and contract amounts on the project is due to planning and scope; however some alternates were provided which accelerated the amount of contract.

As it was a quarterly report for the University, Mr. Huish reported activity on the statewide account, with minimal activity in the fire and life safety accounts and re-roofing and paving accounts.

The construction contract status report was slightly inaccurate due to the delay in reporting. Many contracts had since been closed although there were some extenuating circumstances for the days over on some of the contracts primarily due to weather.

**MOTION: Manuel Torres moved to accept the administrative report of the University of Utah. The motion was seconded by Haze Hunter and passed unanimously.**

Joseph Jenkins confirmed the Governor appointed Keith Stepan as the Chair of the Utah State Building Board. The Board will need to choose the Vice-Chair in the future.

Norm Tarbox, Board of Regents, provided the administrative report of Utah State University for the period of November 14 through December 12, 2001. There was one A/E contract added involving the Taggart Student center floor renovation for \$47,900 and an estimated construction budget of \$560,000.

The contingency reserve fund had one addition for the Communicative Disorders Building renovation of \$1000, and the building is 99% substantially complete.

Of the projects delegated by the Board, the only project listed on the projects list was the First Dam repairs, Phase III, which currently had \$3,822,054 as the project budget.

One construction contract was also awarded during the period for the Animal Science Teaching Pavilion to Raymond Construction for \$250,000.

**MOTION:**     **Larry Jardine moved to accept the administrative report for Utah State University. The motion was seconded by Kerry Casaday and passed unanimously.**

**☐     REPORT ON ENERGY CONSERVATION EFFORTS.....**

At the September Building Board meeting, the Board asked DFCM to provide an ongoing report on energy consumption and suggested a quarterly time frame for submission. The graphs included in the Board packet were in response to the request from the Board and were similar to the graphs and facilities represented at the September meeting. The graphs reflected a three-month time period for usage of electricity, generally during the September through November time frame, however specific time periods varied due to the time frame of utility billing cycles.

Kenneth Nye pointed out the DFCM managed buildings included the ten largest buildings managed by DFCM. He complimented the Facilities Management staff, as all ten buildings had substantial reductions in energy consumption especially on a percentage basis. DFCM staff made a substantial effort to take a number of steps to reduce the consumption of electricity, including increasing the temperature of buildings, fine tuning how the buildings operated, and reduced operating hours. Two charts showed the results for higher education facilities and another chart showed other state agencies with substantial managed space. DFCM also attempted to address increases in space and provided a normalized usage including the increased space and showing a slight reduction in usage. Norm Tarbox stated colleges and universities have 9% more students this fall than they had previous years, which may cause some increase.

Greg Peay stated Corrections increased space through the Gunnison facility and added their 288-bed remodel. The Draper site gross increased due to taking the line that went over the freeway away from UP&L and bringing the Fred House Academy and the new Administration Building onto the substation in order decrease the billing of per kilowatt hour percentage.

Randy Turpin stated the University of Utah's heating plant is up and running and self-funded with all retrofits in place with bonded funds. The energy savings are paying the debt service on both the retrofits and the cost of the heating plant and the chiller plant. They have not had to tap the guarantee made to them through the Energy Company so the savings have developed to make the payments and proving the plant to be successful.

Kenneth Nye stated it would be a little longer before significant impacts on energy consumption could be seen through projects funded out of capital improvements. DFCM is

also soliciting projects for allocation of capital improvements funding this spring and are looking at expanding to include other opportunities such as water consumption.

DFCM has also made an internal reassignment within DFCM. For the past several years, Mr. Nye has taken a lead on the general oversight of all efforts on energy issues, which will now fall to Ricy Jones.

Mr. Nye asked the Board how they desired to address the reports in the future. The report presented at the meeting focused on electricity only for the fall period. He was unsure of the accuracy of a similar report during the winter months, as there are a variety of unique processes and utilities processes. Chair Stepan stated the initial interest was due to the rising concerns during the summer months and the effort being made to conserve energy and money. He felt if the Board received a report often enough to prove the effort was continuing it would be adequate. He felt twice yearly would still raise the trend and awareness of the building users.

**❑ ADMINISTRATIVE REPORTS FOR DFCM .....**

Kenneth Nye stated that a memo was provided at the beginning of the report highlighting the more significant items based on a previous request to more clearly number the pages and identify the references on the memo. The reports were initially prepared for presentation for an early January meeting. When the meeting was postponed, DFCM did not feel it would be beneficial to redo the reports. The leasing data on page one was for a new build to suit lease for Public Safety at a full service lease rate of \$14.85/sf. DFCM felt it was a very favorable lease rate, especially for a build to suit lease, and below the expectations for existing space.

On page three, the construction contracts awarded were identified and Mr. Nye noted the Tate Barn was awarded on a sole source basis as it was being funded by donations. One of the requirements of the donator was that Williams Builders perform the work as they were also donating a portion of the project. The Tate Barn will serve as a historic landmark as part of the recreation package to the park.

Haze Hunter expressed some concern with contractors knowing the budgeted amount prior to their bid. Joseph Jenkins stated contractors were aware of the budgeted amount, however a significant number of people apply for the jobs and no one can win by being the lowest bid. Also most projects were done through the Value Based system and Mr. Jenkins was satisfied with the budget figures. Kent Beers stated add alternates could also be incorporated if there was room in the budget in order to incorporate other scopes of work.

Joseph Jenkins stated that back in October, there was a presentation made to the Board

about the OMC building in Ogden and the potential of buying the building. DFCM has since determined not to purchase the building and when the lease ends in 2006; they will vacate the building. There is a lawsuit currently in process and Alan Bachman has successfully negotiated it down to just a few issues. DFCM is attempting to work together to come to an agreeable compromise which is being overseen by a Judge. Mr. Jenkins hoped to have a compromise resolved prior to the next Building Board meeting.

Mr. Jenkins also stated DFCM would refine the Value Based selection process and then hold a public meeting to explain the new process. If the legislature appropriates the anticipated dollars, DFCM may have the largest construction year ever.

**☐ UPCOMING VALUE BASED PROCUREMENT SELECTIONS .....**

The Board was excused from the Department of Human Services, State Hospital MS Building Remodel.

Chair Stepan will serve on the selection committee for the State Hospital Rampton Phase II interviews.

Joseph Jenkins stated if the Legislature approves the bond, DFCM will need to move very quickly on the Dixie College Avenna Center chiller and heating system. Kerry Casaday will serve on the selection committee for the interviews.

Haze Hunter will serve on the selection committee for the SUU Shakespeare Festival Center Development.

**☐ 2002 BUILDING BOARD MEETING SCHEDULE .....**

The next Utah State Building Board meeting will be held March 20, 2002 at 9:00am in Room 129 of the Utah State Capitol. Chair Stepan expressed appreciation to the Board of Regents for allowing the Board to meet in their facility.

The Board was to meet later that day with the Capital Facilities Appropriation Subcommittee in Room 131 of the Utah State Capitol. They anticipated discussing the Archives project, bonding, the three projects waiting for funding, and the Regional centers in Ogden and Washington County. Kerry Casaday will serve as the spokesman on behalf of the Building Board.

**☐ ADJOURNMENT.....**

**MOTION:** Haze Hunter moved to adjourn at 11:03am. The motion was seconded by Kerry Casaday and passed unanimously.

*Minutes prepared by: Shannon Lofgreen*